

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that this correspondence, and any attachment thereto, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450 on the date indicated below.

Therrie B. McFarland

6/9/05  
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:  
Melton et al.

Serial No.: 10/765,262

Art Unit: 2874

Filed: January 27, 2004

Examiner: Unknown

Title: FIGURE-EIGHT PRECONNECTORIZED  
FIBER OPTIC DROP CABLES AND  
ASSEMBLIES

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the document(s) listed on the attached PTO 1449. This Information Disclosure Statement is being filed:

☐ Under 1.97(b) after the filing date of the application, but, to the best of Applicants'

knowledge:

☐ within three (3) months of the filing date of the National application, which is not a continued prosecution application (CPA) under § 1.53(d); OR

☐ within three (3) months of the date of entry of the National stage as set forth in §1.491 in an international application; OR

☐ before the mailing of a first Office Action on the merits; OR

☐ before the mailing of the first Office Action after the filing of a Request for Continued Examination (RCE) under § 1.114.

☐ Under 1.97(c) after the events recited above, but, to the best of Applicants' knowledge before the mailing date of any of a final action under § 1.113, a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, and this submission is accompanied by:

- ☐ the statement specified in § 1.97(e); OR
- ☐ the fee set forth in § 1.17(p).

☐ Pursuant to 1.97(d) after the events recited above, but, to the best of Applicants' knowledge before payment of the issue fee, and this submission is accompanied by:

- ☐ the statement specified in § 1.97(e); AND
- ☐ the fee set forth in § 1.17(p).

STATEMENT SPECIFIED IN § 1.97(e)

Pursuant to 1.97(e), Applicants hereby state and affirm that:

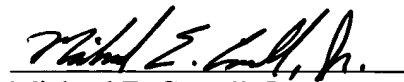
☒ each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this information disclosure statement; OR

☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three (3) months prior to the filing of this information disclosure statement.

☐ Pursuant to the waiver of the requirement under 37 CFR 1.98(a)(2)(i), no copies of U.S. patents and/or U.S. patent application publications are included herewith because the above-identified application was filed after June 30, 2003.

Applicants respectfully request that the Examiner consider the listed document(s) and indicate that they were considered by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed document(s) are material or constitute "prior art." If the Examiner applies any of the document(s) as prior art against any claims in the application and Applicants determine that the cited document(s) do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document(s). Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document(s), should one or more of the document(s) be applied against the claims of the present application. If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 19-2167.

Respectfully submitted,



Michael E. Carroll, Jr.

Attorney

Registration No. 46,602

P.O. Box 489

Hickory, N. C. 28603

Telephone: 828/901-6725

Facsimile: 828/901-5206

Date: June 9, 2005

<b>FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office</b>				<b>Attorney Docket Number:</b> HE0217		<b>Serial Number:</b> 10/765,262	
<b>LIST OF RELATED DOCUMENTS CITED BY APPLICANT</b> (Use several sheets if necessary)							
JUN 13 2005 PATENT & TRADEMARK OFFICE				<b>Applicant:</b> Melton et al.			
				<b>Filing Date:</b> January 27, 2004		<b>Group:</b> 2874	
<b>U. S. PATENT DOCUMENTS</b>							
<b>Examiner Initial</b>		<b>Document Number</b>	<b>Date</b>	<b>Name</b>	<b>Class</b>	<b>Subclass</b>	<b>Filing Date if Appropriate</b>
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
<b>FOREIGN PATENT DOCUMENTS</b>							
		<b>Document Number</b>	<b>Date</b>	<b>Country</b>	<b>Class</b>	<b>Subclass</b>	<b>Translation Yes   No</b>
	AK	0762171A1	3/12/97	Europe	G02B	6/44	No
	AL	0856761A1	8/5/88	Europe	G02B	6/44	No
	AM						
	AN						
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	AO	United States Patent Application Publication No. US2003/0063867A1, dated 4/3/2003					
	AP	United States Patent Application Publication No. US2001/0036345A1, dated 11/1/01					
	AQ						
<b>EXAMINER</b>							<b>DATE CONSIDERED</b>

\*EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.